

Exhibit A

James Weed

April 15, 2011

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAVID EDWARD WEED and JAMES)
WILLIAM WEED,)
Plaintiffs,)
vs.) No. 2:10-cv-01274-RSM
THE CITY OF SEATTLE, TERRY DUNN,)
and DALE DAVENPORT,)
Defendants.)

Deposition Upon Oral Examination of
JAMES WEED

601 Union Street
Suite 3100
Seattle, Washington

DATE: April 15, 2011

REPORTED BY: Christina Atencio, CCR #2749

James Weed

April 15, 2011

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1 APPEARANCES:

2

3 For the Plaintiffs: JOHN R. MUENSTER, ESQ.
4 Muenster & Koenig
5 14940 Sunrise Drive NE
6 Bainbridge Island, WA 98110
7 (206) 855-1025
8 jrmuenster@muensterkoenig.com
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10 For the Defendants: TED BUCK, ESQ.
11 EVAN D. BARIAULT, ESQ.
12 Stafford Frey Cooper
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14 Suite 3100
15 Seattle, WA 98101
16 (206) 623-9900
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18 ebariault@staffordfrey.com
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21
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James Weed

April 15, 2011

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1 injuries?

2 A. No.

3 Q. Did you ever put any ointment on any of the
4 injuries?

5 A. No.

6 Q. So you said Sam Twynam and Dave Miller. Can you
7 recall any other names?

8 A. Julie -- I don't know her last name. She still
9 works there. Who else? That's about it.

10 Q. Okay. And I take it you don't have their phone
11 numbers?

12 A. I don't have their phone numbers.

13 Q. So do you not own a telephone?

14 A. I do. I have a land line.

15 Q. That's impressive. So I think you'd indicated you
16 were supposed to work on that Friday, the day of the
17 incident, correct?

18 A. Yes.

19 Q. Okay. And you subsequently missed that day. Did
20 you miss any other days of work as a result of the incident?

21 A. No.

22 Q. Okay. Where did you work before your current
23 employment?

24 A. Redhook Brewing Company.

25 Q. Okay. And how long have you been doing art?

Exhibit B

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

DAVID EDWARD WEED and JAMES
WILLIAM WEED,

Plaintiffs,

v.

THE CITY OF SEATTLE, TERRY DUNN,
and DALE DAVENPORT,

Defendants.

NO. C10-01274

CITY OF SEATTLE'S FIRST
INTERROGATORIES AND
REQUESTS FOR PRODUCTION
TO PLAINTIFF JAMES WEED

AND RESPONSES THERE TO

TO: Plaintiff James Weed;

AND TO: John Muenster, Plaintiff's Attorney.

COMES NOW Defendant City of Seattle and in accordance Rule 33 of the Civil Rules of United States District Court for the Western District of Washington and Rules 26, 33 and 34 of the Federal Rules of Civil Procedure, propounds the following written interrogatories and requests for production to plaintiff James Weed. These interrogatories are continuing in nature and any information requested herein which may be discovered by you after answering these interrogatories, but before final disposition of this case, is to

CITY OF SEATTLE'S FIRST INTERROGATORIES AND
REQUESTS FOR PRODUCTION TO PLAINTIFF
JAMES WEED - 1

3019-031298 612232x

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6885

1 INTERROGATORY NO. 9: Your financial injury claims: do you attribute any loss
2 of income or earning capacity to the incident? If so, then please provide the following:

- 3
- 4 (a) The nature of your work, your job title at the time of the incident,
- 5 (b) The amount of monthly income at the time of the incident and how
- 6 (c) The date you last worked, and returned to work, at each place of
- 7 employment following the incident;
- 8 (d) The dates you did not work and for which you claim lost income as
- 9 (e) The total income you claim to have lost to date as a result of the
- 10 (f) The total income you allege will be lost in the future and your basis
- 11 for such allegation.

12 ANSWER:

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1 INTERROGATORY NO. 10: If you answered in the affirmative to Interrogatory
2 No. 10, then please state your employment history beginning five (5) years before the
3 date of the incident to the present, and for each employer (including self-employment)
4 include the name and address, the name of your supervisor, the dates of your
5 employment, your hourly wage or salary, and the reason for leaving.

6 ANSWER:
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16 REQUEST FOR PRODUCTION NO. 3: If you answered in the affirmative to
17 Interrogatory No. 9, please produce your income tax returns for the five (5) year prior to
18 the incident and up to the most recent tax return filed.

19 RESPONSE:
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INTERROGATORY NO. 8:

- (1) We have photographs of David Weed, Jim Weed and the Weed home, which were produced today with the David Weed discovery responses.
- (2) We have SPD documents re: Defendant Dunn, previously produced to us during the criminal case by the King County Prosecutor's Office and/or produced to defense counsel herein via letters dated October 13, 2010, and email to Ms. Cobb dated October 20, 2011.
- (3) We have discovery in the criminal case from the King County Prosecutor's Office, previously provided to the defense herein.
- (4) The Superior Court criminal case file contains documents, including the order of dismissal, which have been previously produced or, on information and belief, have been acquired by the city.
- (5) We have transcripts of interviews of Officers Leong, Davenport and Dunn conducted in the criminal case, which have previously been provided to the defense herein.
- (6) We have Jail Health Services records for David Weed and Jim Weed, previously provided to the defense via email on October 20, 2010.


John R. Muenster

REQUEST FOR PRODUCTION NO. 2: The following documents were attached to the David Weed discovery responses which were provided to the defense herein this date, and are incorporated herein by reference.

- (1) Photographs of David Weed, Index pp. 693-699;
- (2) Photographs of Jim Weed, Index pp. P230-P237;
- (3) Photographs of Weed home, Index pp. P238-P242;


John R. Muenster

INTERROGATORY NO. 9: No.

OBJECTIONS AND RESPONSES TO DEFENDANTS'
FIRST SET OF INTERROGATORIES AND REQUESTS
FOR PRODUCTION TO PLAINTIFFS- 4

INTERROGATORY NO. 10: Not applicable.

REQUEST FOR PRODUCTION NO.3: Not applicable.

INTERROGATORY NO. 11: Yes. See claim for damages, complaint for damages, response to Interrogatory No. 6 with attachment A-2 herein, and photographs. . Plaintiff seeks damages for physical pain, emotional distress, loss of liberty, attorney's fees and costs for the defense of the criminal case, and fees and costs incurred herein (see 5-7-2010 letter to Abbie Pointer, with attachment, previously provided).

INTERROGATORY NO. 12: This information was previously provided in Plaintiffs' Initial Disclosures. Any statement by a witness that we are aware of has been produced.

INTERROGATORY NO. 13: (a) and (b) David Weed, beer.

INTERROGATORY NO. 14: Yes.(a)Jim Weed, 3 beers. (b)David Weed was present.

INTERROGATORY NO. 15:

2 p.m.-4 p.m. Set up for 1st Thursday Artwalk (David Weed).

4 p.m.-9 p.m. Facilitated Artwalk (David Weed).

9 p.m.-11 p.m. Dinner, Hilltop Ale House (David Weed).

11p.m.-12 a.m. Targy's Tavern, Queen Anne (David, Molly and Megan).

12 a.m.-2 a.m. Home.

INTERROGATORY NO. 16: Yes. DUI, 1998-99, Flagstaff, Arizona.

INTERROGATORY NO. 17: Other than attorneys, David Weed and Jillian Weed.

INTERROGATORY NO. 18: Yes.

INTERROGATORY NO. 19: No expert has been identified.

REQUEST FOR PRODUCTION NO. 4: Not applicable.

REQUEST FOR PRODUCTION NO. 5: Not applicable.

OBJECTIONS AND RESPONSES TO DEFENDANTS'
FIRST SET OF INTERROGATORIES AND REQUESTS
FOR PRODUCTION TO PLAINTIFFS- 5

Exhibit C

The Honorable Ricardo S. Martinez

*Rec'd
10/26/10*

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

DAVID EDWARD WEED and JAMES
WILLIAM WEED,

Plaintiffs,

v.

THE CITY OF SEATTLE, TERRY DUNN,
and DALE DAVENPORT,

Defendants.

NO. C10-01274

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SEATTLE'S FIRST
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DEFENDANT CITY OF SEATTLE'S FIRST
INTERROGATORIES AND REQUESTS FOR
PRODUCTION TO PLAINTIFF DAVID WEED - 1

3019-01298 610692x

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6885

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6 the amount was calculated;
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8 employment following the incident;
- 9 (d) The dates you did not work and for which you claim lost income as
10 a result of the incident;
- 11 (e) The total income you claim to have lost to date as a result of the
12 incident and how the amount was calculated;
- 13 (f) The total income you allege will be lost in the future and your basis
14 for such allegation.

15 ANSWER:

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DEFENDANT CITY OF SEATTLE'S FIRST
INTERROGATORIES AND REQUESTS FOR
PRODUCTION TO PLAINTIFF DAVID WEED - 11
3019-031298 610692x

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6885

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19 RESPONSE:
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produced to defense counsel Mr. Buck via letter dated October 13, 2010, and emails to Ms. Cobb

October 20, 2011

- (3) We have discovery in the criminal case from the King County Prosecutor's Office, previously provided to the defense.
- (4) The Superior Court criminal case file contains documents, including the order of dismissal, which have been previously produced or, on information and belief, have been acquired by the city.
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John R. Muenster

REQUEST FOR PRODUCTION NO.2: The following documents are attached hereto in response to this request for production and by this reference incorporated herein:

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John R. Muenster

INTERROGATORY NO. 9: No.

INTERROGATORY NO. 10: Not applicable.

REQUEST FOR PRODUCTION NO.3: Not applicable.

OBJECTIONS AND RESPONSES TO DEFENDANTS'
FIRST SET OF INTERROGATORIES AND REQUESTS
FOR PRODUCTION TO PLAINTIFFS- 4